

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

Wickfire, LLC,

Plaintiff,

v.

TriMax Media, Inc.,

Defendant.

CIVIL ACTION NO: 14-CV-34

**John Doe's Motion to Quash Subpoena**

John Doe, a non-party, by and through his counsel of record, hereby moves the Court to quash the subpoena served by Plaintiff Wickfire, LLC on Google, Inc., and would show as follows.

1. On June 17, 2014, John Doe was notified by Google, Inc. that this court had issued a third-party subpoena "requesting information related to" his Google Account. A true and correct copy of this notice is attached hereto as **Exhibit A**.
2. John Doe is not a party to this lawsuit, and Google has not provided him with a copy of the subpoena.
3. John Doe's Google Account contains (a) privileged material for which no exception or waiver applies, (b) confidential information, and (c) trade secrets.
4. Because John Doe is not a party to this lawsuit, the disclosure of any documents regarding his Google Account would be an undue burden.

5. Under Rule 45(d)(3), the subpoena to Google, Inc. must be quashed because it subjects John Doe to the disclosure of his privileged material, confidential information, and trade secrets, and subjects John Doe to an undue burden.
6. John Doe reserves the right to assert additional objections as to the form of the subpoena once he has had the opportunity to review the subpoena.

Date: July 3, 2014

Respectfully Submitted,

/s/ Peter. S. Vogel

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**ATTORNEY FOR JOHN DOE**

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**CERTIFICATE OF SERVICE**

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I certify that on July 3, 2014, a copy of the foregoing was electronically filed on the CM/ECF system, which will automatically serve a Notice of Electronic Filing on all parties registered for such service.

*/s/ Peter. S. Vogel*

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Peter S. Vogel

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